

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LINDA McCORMICK,

Plaintiff,

v.

Case No. 08-CV-10075

ROBERT BRZEZINSKI, et al.,

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTIONS
TO STAY [DKT. ## 96, 97] AND DENYING WITHOUT PREJUDICE
PLAINTIFF'S "MOTION TO APPOINT COUNSEL" [DKT. # 93]**

Before the court are three motions by *pro se* Plaintiff Linda McCormick: (1) Plaintiff's "Verified Motion to Stay the Court's Decision and Plaintiff's Response Time to Defendant Leosh's Motion for Summary Judgment," filed February 10, 2009; (2) Plaintiff's "Verified Motion to Stay the Court's Decision and Plaintiff's Response Time to Defendant Brzezinski et al's Motion for Summary Judgment," filed February 10, 2009; and (3) Plaintiff's "Motion to Appoint Counsel," filed February 10, 2009.

Defendant Robert Leosh filed a motion for summary judgment on January 30, 2009 in accord with the court's June 27, 2008 Scheduling Order. Defendants Robert B. Brzezinski, Robert Genik, Ronnie Warra, the City of Livonia ("Defendants Brzezinski, et al.") filed a motion to dismiss and/or for summary judgment on February 3, 2009 after receiving a brief extension to the Scheduling Order. Now Plaintiff requests the court to stay the proceedings on Defendants' dispositive motions until Plaintiff has had more discovery, or in the alternative to extend her time to respond to Defendants' motions.

On February 10, 2009, the court held a hearing on several pending discovery motions in the instant case. At the hearing, the court denied several requests by Plaintiff to compel discovery from Defendants and to extend discovery. Because Plaintiff's discovery time has now expired, the court will not grant her request to stay Defendants' pending motions; however, the court will extend Plaintiff's time to respond to Defendants' motions. In addition, the court does not find appointment of counsel for Plaintiff necessary at this time. Accordingly,

IT IS ORDERED that Plaintiff's "Verified Motion to Stay the Court's Decision and Plaintiff's Response Time to Defendant Leosh's Motion for Summary Judgment" [Dkt. # 96] is GRANTED IN PART AND DENIED IN PART. It is GRANTED with respect to extending Plaintiff's time to respond to Defendant Leosh's motion for summary judgment, and DENIED as to the rest of Plaintiff's motion.

IT IS FURTHER ORDERED that Plaintiff's "Verified Motion to Stay the Court's Decision and Plaintiff's Response Time to Defendant Brzezinski et al's Motion for Summary Judgment" [Dkt. # 97] is GRANTED IN PART AND DENIED IN PART. It is GRANTED with respect to extending Plaintiff's time to respond to Defendant Brzezinski, et al.'s motion to dismiss and/or for summary judgment, and DENIED as to the rest of Plaintiff's motion.

IT IS ALSO ORDERED that Plaintiff file her responses to Defendants' dispositive motions on or before **March 6, 2009**.

Finally, IT IS ORDERED that Plaintiff's "Motion to Appoint Counsel" [Dkt. # 93] is
DENIED WITHOUT PREJUDICE.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 13, 2009

I hereby certify that a copy of the foregoing document was mailed to counsel of record
on this date, February 13, 2009, by electronic and/or ordinary mail.

s/Lisa G. Wagner
Case Manager and Deputy Clerk
(313) 234-5522